REMARKS

Reconsideration of the rejections set forth in the Office Action mailed September 7, 2005, is respectfully requested. Claims 12 and 20 have been cancelled without prejudice. Claims 70-94 have been added. Claims 70-85 and 86-94 correspond to originally presented dependent claims 44-58 and 60-69, respectively. Therefore, these amendments have been made without the addition of any new matter. Claims 1-11, 28-43, 59, and 70-94 remain pending in this application.

Double Patenting

Claims 1-12, 20, 28-43, and 59 were provisionally rejected under the judicially created doctrine of obviousness-type double patenting as being allegedly unpatentable over claims 1-23 of co-pending Application No. 11/003,267. Without conceding the propriety of the rejection, Applicants file a terminal disclaimer herewith and respectfully request withdrawal of the rejection.

Art Rejections

Claims 12 and 20 were rejected under 35 U.S.C. § 102(e) as being allegedly anticipated by Ein-Gal (USP 6,497,704). Claims 12 and 20 have been cancelled without prejudice to their prosecution in a continuation application. Therefore, this rejection is now moot. Applicants respectfully request withdrawal of the rejection.

For all the foregoing reasons, Applicant asserts the claims are in condition for allowance. Favorable action on the merits of the claims is therefore earnestly solicited. If any issues remain, please contact Applicant's undersigned representative at (949) 760-9600. The Commissioner is

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(END 5450USNP)

hereby authorized to charge any additional fees that may be required to Deposit Account No. 50-2862.

> Respectfully submitted, O'MELVENY & MYERS LLP

Dated: <u>December 7, 2005</u>

By:

Reg. No. 54,550

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